



राष्ट्रीय अनुसूचित जनजाति आयोग
National Commission for Scheduled Tribes
(भारत के संविधान के अनुच्छेद 338क के अंतर्गत एक संवैधानिक निकाय)
(A Constitutional body under Article 338A of the Constitution of India)

F. No. NCST/DEV-725/MH/3/2022-ESDW

Dated: 14/03/2023 .

To,

Shri Pushp Kumar Joshi,
Chairman,
Hindustan Petroleum Corporation Limited,
Petroleum House,
17, Jamshedji Tata Road,
Mumbai,
Maharashtra – 400020
Email: corphqo@hpcl.in

Sub: Minutes/proceeding of the Sitting/Hearing taken by Shri Ananta Nayak, Hon'ble Member, NCST, New Delhi on 08.02.2023 at 03:00 PM regarding Representation dated 09-05-2022 from Shri Sandeep, S/o Narayanrao Lakhmawar, R/o Narayan Smruti, House No.1-15-163, Near Mayur Mangal Karyalay, Anand Nagar, Nanded, Maharashtra –431605- Regarding the Atrocity to Sandeep by Officers of HPCL, Solapur Division.

Sir/Madam,


I am directed to enclose herewith a copy of Minutes/Proceeding of the Sitting/Hearing taken by Shri Ananta Nayak, Hon'ble Member, NCST, New Delhi on 08.02.2023 at 03:00 PM on the above mentioned subject for information and necessary action.

2. You are requested to send the Action Taken Report (ATR) on the recommendations of the Commission within 15 days from the date of receiving of the Minutes/Proceeding.

Encl: as Above.

3612-13
जारी किया/23
ISSUED o/c

Yours faithfully,


(H.R. Meena)
Research Officer

Copy for information to: -

Shri Sandeep,
S/o Narayanrao Lakhmawar,
R/o Narayan Smruti, House No.1-15-163,
Near Mayur Mangal Karyalay,
Anand Nagar, Nanded,
Maharashtra –431605

National Commission for Scheduled Tribes

No. NCST/DEV-725/MH/03/2022-ESDW)

Minutes of the Sitting held under the Chairmanship of Shri Ananta Nayak, Hon'ble Member, NCST, regarding the complaint filed by Shri. Sandeep s/o Narayanrao Lakhmawar against the Hindustan Petroleum Corporation Ltd, Solapur Division.

Date of the Sitting : 08.02.2023

Participants in the Sitting : As per Annexure

The complainant Shri.Sandeep s/o Shri NarayanraoLakhmawar through his complainant stated that he has filed an application towards Hindustan Petroleum Company Ltd (hereinafter refer as 'H.P.C.L.) to handover the Petrol Pump Retail outlet dealership which was allotted to him in Scheduled Tribe reserve category. Despite number of requests, the H.P.C.L. didn't handover him the said agency. Aggrieved with the decision of the company, the petitioner requested the Commission for intervention seeking justice.

Taking cognizance of the complaint, the Commission issued Notice to Shri. Pushp Kumar Joshi, Chairman, Hindustan Petroleum Limited on 29.09.2022.

Pursuant to the notice of the Commission, H.P.C.L. submitted its reply stating therein various efforts were taken through counselling of the partners and also requested them to resolve the dispute among them at the earliest but they didn't give proper response. According to the reply of the H.P.C.L., the issue amongst the partners remained unresolved till date.

During the hearing, the Authorities representing the H.P.C.L. stated before the commission that the said petrol pump agency is allotted from 'Scheduled Tribe' reserve category for the state of Maharashtra and as the Complainant is belong to 'Scheduled Tribe' and holding the domicile certificate of state of Maharashtra he was eligible for the allotment of said agency, therefore the said agency is given on him as per due procedure.

H.P.C.L. further states that complainant requested for cancellation of agency but since the H.P.C.L. invested huge amount in the said petrol pump agency and if this agency gets cancelled then it is badly affecting on public supply and machineries and equipment which are fitted by the company. All other aspects like investment, financial losses, dispute between parties and customer services have been duly considered.

However, the petitioner stated that he is not agree with the decision of the company as the H.P.C.L. gave the said petrol pump agency to the blood relative of the third party who is 25% partner in his business which means indirectly that 25% owner is running 100% business and 100% owner is out of business which is not acceptable to him as it is creating grave injustice on him.



अनंत नायक/ANANTA NAYAK

सदस्य/Member

राष्ट्रीय अनुसूचित जनजाति आयोग

NATIONAL COMMISSION FOR SCHEDULED TRIBES

भारत सरकार/Govt. of India

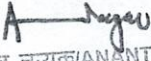
नई दिल्ली/New Delhi

After hearing the case, the Commission recommends the followings : -

The CMD, H.P.C.L to

- 1) ensure re-counselling between the parties.
- 2) provide the information that how many petrol pumps and gas agencies are allotted in the state of Maharashtra to the Scheduled Tribes with their names, address, copy of Scheduled Tribe Caste Certificates and copy of Scheduled Tribe Validity Certificates of the agency holders.
- 3) Provide the details of the petrol pumps and gas agencies allotted by H.P.C.L. to the reserve Scheduled Tribe quota in the State of Maharashtra in which 25% business partnership is given with the name, address, emails and contact numbers of the 25% business partners who secure business partnership with Scheduled Tribes in the state of Maharashtra.
- 4) The HPCL shall examine the issue of violation of rights of the Petitioner and also the resolve the conflict of interest among the partners in the best possible manner.

The CMD, HPCL must submit a detailed Action Taken Report with Compliance of the Recommendations to the Commission within 15 days.


अनंत नायक/ANANTA NAYAK
सदस्य/Member
राष्ट्रीय अनुसूचित जनजाति आयोग
NATIONAL COMMISSION FOR SCHEDULED TRIBES
भारत सरकार/Govt. of India
नई दिल्ली/New Delhi

(ANNEXURE)

F. No. NCST/DEV-725/MH/3/2022-ESDW

LIST OF PARTICIPANTS:-

S. No.	Date	Designation
1.	Shri Ananta Nayak	Hon'ble Member
2.	Dr. Jayant Sarode	Director
3.	Shri H.R. Meena	Research Officer
4.	Shri Radhakanta Tripathy	Sr. Legal Advisor
5.	Shri Avinash Mattur	Legal Consultant
The Chairman, Hindustan Petroleum Corporation Limited, Government of Maharashtra		
1.	Shri Amit Garg	Director (Mkt.), HPCL
2.	Shri Sandeep Maheshwari	ED-Retail, HPCL
3.	Shri Biman Saha	DGM-Retail, HPCL
4.	Shri Arun Garg	CGM-Coordination, HPCL
Petitioner		
1.	Shri Sandeep	Petitioner

F. No. NCST/DEV-359/MH/13/2022-ESDW

Dated: